


Message

From: Nelson, Leverett [nelson.leverett@epa.gov]
Sent: 10/1/2019 2:04:16 PM
To: Mooney, John [Mooney.John@epa.gov]; Newton, Cheryl [Newton.Cheryl@epa.gov]; Thiede, Kurt [thiede.kurt@epa.gov]
Subject: RE: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.



The more detailed supplemental information portion of the 1984 Federal Register reads:

The revised nuisance rule as contained in **OAC 3745-15-07** now reads:

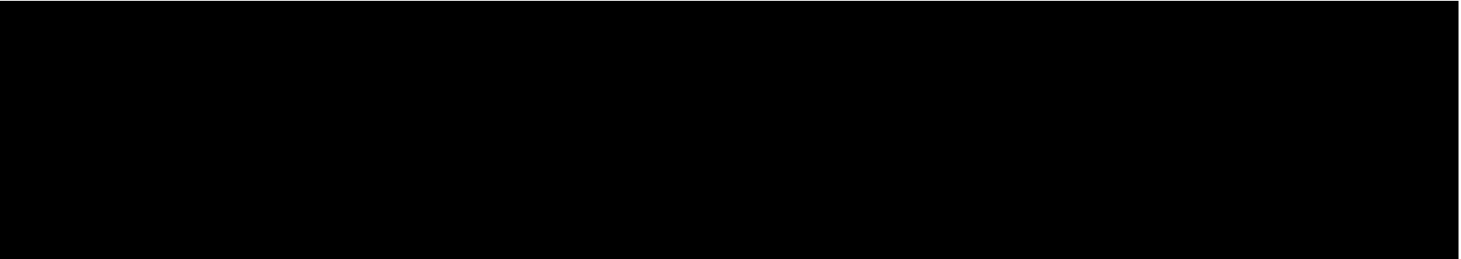
(A) Except as provided in paragraph (B) of this rule, the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found **and** declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.

(B) Those sources of odor not subject to regulation under Chapters **3745-17**, **3745-18**, 3745-21, or **3745--31** of the Administrative Code shall not be subject to this rule.

Because odors do not constitute one of the criteria pollutants currently regulated **by USEPA**, this revision will not impact the attainment and maintenance of the **NAAQS**. Therefore, this revision to the Ohio **SIP** is approvable.

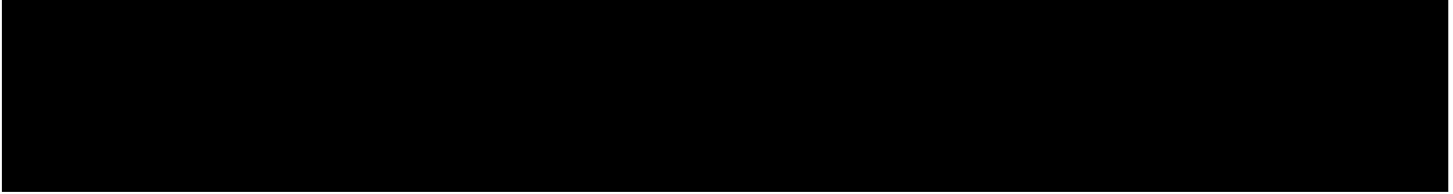
In the "Summary" section, however, it reads:

The purpose of today's action is to approve this modified rule as part of the Ohio **SIP**. Because this revision does not pertain to the criteria pollutants currently regulated **by USEPA**, it will not impact the attainment and maintenance of the National Ambient Air Quality Standards (**NAAQS**).




Thanks.

From: Mooney, John <Mooney.John@epa.gov>
Sent: Tuesday, October 01, 2019 8:45 AM
To: Newton, Cheryl <Newton.Cheryl@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.



From: Newton, Cheryl <Newton.Cheryl@epa.gov>
Sent: Tuesday, October 01, 2019 8:30 AM
To: Thiede, Kurt <thiede.kurt@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Mooney, John <Mooney.John@epa.gov>
Subject: RE: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.



From: Thiede, Kurt <thiede.kurt@epa.gov>
Sent: Tuesday, October 01, 2019 8:18 AM
To: Nelson, Leverett <nelson.leverett@epa.gov>; Mooney, John <Mooney.John@epa.gov>
Cc: Newton, Cheryl <Newton.Cheryl@epa.gov>
Subject: FW: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.

Anything new here?

From: Johnson Koch, LeAnn M. (Perkins Coie) [<mailto:LeAnnJohnson@perkinscoie.com>]
Sent: Monday, September 30, 2019 4:39 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Jones, MarjorieA <jones.marjorieA@epa.gov>
Subject: RE: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.

Rett –
Here are the documents unzipped.

LeAnn Johnson Koch | Perkins Coie LLP
Office: 202.654.8209
Mobile: 202.253.8152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Monday, September 30, 2019 5:37 PM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>

Cc: Jones, MarjorieA <jones.marjorieA@epa.gov>
Subject: RE: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.

Dear LeAnn:

We look forward to meeting with you tomorrow.

Unfortunately, I am not able to open the attachment you sent; for some reason our software is blocking access to the ZipDrive file for file security reasons. You might want to re-send the file in a different format, to the extent you want us to have the materials in advance of the meeting.

Thank you.

-Rett Nelson

T. Leverett Nelson
Regional Counsel
U.S. EPA, Region 5

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Monday, September 30, 2019 4:04 PM
To: Newton, Cheryl <Newton.Cheryl@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>
Cc: Jones, MarjorieA <jones.marjorieA@epa.gov>
Subject: SunCoke Meeting - 10/1 @ 1 PM; Agenda for Mtg.

Cheryl, Rhett, and Kurt --

Thank you for being available to meet tomorrow at 1:00 to discuss our request that EPA issue a technical correction to the Ohio State Implementation Plan to remove a public nuisance provision. Attached is the proposed meeting agenda and background materials related to our request. Please let me know if there is anything else you need or if you have any questions.

We look forward to meeting with you tomorrow.

LeAnn

LeAnn Johnson Koch | Perkins Coie LLP
Office: 202.654.6209
Mobile: 202.253.8152

E. JProulx@perkinscoie.com

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